

Attorney Docket No.: ISPH-0500  
Inventors: Yu et al.  
Serial No.: 09/705,587  
Filing Date: November 3, 2000  
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1. A method for detecting an oligonucleotide in a bodily fluid or extract, consisting of the steps of:

a) contacting said fluid or extract with a probe complementary to an oligonucleotide so that both single-stranded and double-stranded oligonucleotide moieties are formed in said fluid or extract, wherein said probe comprises a detectable marker and a binding moiety;

*a* b) placing said fluid or extract in contact with a solid support to which a binding partner of said binding moiety is attached so that both single-stranded and double-stranded oligonucleotide moieties present in said fluid or extract will be attached to said solid support;

c) contacting said fluid or extract with a single strand oligonucleotide-specific nuclease under conditions in which probe which is not hybridized to form said double-stranded oligonucleotide moieties is degraded and thus is no longer attached to said solid support; and

d) detecting a label associated with said marker wherein the presence of said label indicates the presence of said double-stranded oligonucleotide moieties bound to said solid support.

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Please add the following new claim:

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a<sup>2</sup> --12. The method of claim 1 which further comprises step (e) wherein the amount of the detected oligonucleotide is determined.--

#### REMARKS

Claims 1-11 are pending in the instant Office Action. Claims 1-11 have been rejected. Claim 11 has been canceled. Claim 1 has been amended and claim 12 added to incorporate separately subject matter from claim 1. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of the amendments and the following remarks.

#### **I. Rejection of Claims Under 35 U.S.C. 112, Second Paragraph**

Claims 1-11 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner suggests that the claims do not recite a positive process step which relates to the preamble as the preamble states detecting and quantitating while the final process step is detecting. The Examiner also suggests that claim 11 is indefinite because it is unclear how a method of detecting an oligonucleotide has a relationship to administering the oligonucleotide exogenously. Applicants have amended the claims to recite a quantitating step in the process. In an earnest effort to